

REMARKS

A petition to extend the time for response by one (1) month is enclosed herewith.

Claims 8 – 12, 15 – 17, and 20 have been cancelled. Claims 13 and 14 have been amended. Claims 18, 19 and 21 – 22 are unchanged. Claims 13, 14, 18, 19 and 21 - 22 are currently pending.

In the Office Action, claim 8 – 17 and 20 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Also, in the Office Action, claims 8-22 are rejected under 35 U.S.C. 102(a) as being anticipated by Germany DE 195 12 128 to Graute.

Applicants thank the Examiner for the opportunity to discuss the present application on January 11, 2007. During that discussion, it was agreed that Germany DE 195 12 128 to Graute does not meet the claimed limitations recited in claim 18, lines 16 – 23, of the present application of the means for movement of the adjustment lever relative to the basket support plate in a first direction toward the interior of the dishware basket and in a direction opposite to the first direction. Also, it was agreed that Applicants would cancel claims 8, 15, and 20 and consider adding a new claim directed to the undercut feature of the catch hook

With regard to the rejection of claims 8 – 17 and 20 under 35 U.S.C. §112, second paragraph, as being indefinite, claims 8 and 15 have been cancelled, claims 10, 16, and 20 have been cancelled. Accordingly, it is respectfully submitted that the rejection of claims 8 – 17 and 20 under 35 U.S.C. §112, second paragraph, is now overcome.

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Favorable reconsideration is therefore respectfully requested in view of the cancellation of claims 8 – 12 and 15 – 17, and 20 and the amendment of claims 13 and 14.

Russell W. Warnock

Name of Attorney Signing
Respectfully submitted

A handwritten signature in black ink, appearing to read "Russell W. Warnock", written in a cursive style.

Russell W. Warnock

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